

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated August 20, 2008. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-10 are pending in the Application. By means of the present amendment, claims 1-10 are amended including for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include amending dependent claims to begin with "The" as opposed to "A" as well as correcting certain informalities noted upon review of the claims. By these amendments, claims 1-10 are not amended to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

By means of the present amendment, the Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice.

Applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

In the Office Action, claim 10 is rejected under 35 U.S.C. §101 as allegedly being directed to non-statutory subject matter. Applicants respectfully disagree with and explicitly traverse this ground for rejecting claim 10. It is the Applicants' position that the claims require statutory subject matter. However, in the interest of furthering the prosecution of this matter, Applicants have elected to amend claim 10 for better conformance to U.S. practice as indicated above. Specifically, Applicants have amended claim 10 to state a computer program stored on a computer readable memory medium, the computer program being arranged to ... Clearly, claim 10 requires statutory subject matter. Accordingly, it is respectfully requested that the rejection of claim 10 be withdrawn.

Claims 3, 8 and 9 are rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite. Claims 3, 8 and 9 are amended herein to cure these noted problems. Accordingly, it is respectfully submitted that claims 3, 8 and 9 are in proper form and it is respectfully requested that this rejection under 35 U.S.C. §112, second paragraph, be withdrawn.

Claims 1-4 and 6-9 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,434,902 to Bruijns ("Bruijns"). Claims 5 and 10 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Bruijns in view of U.S. Patent No. 5,748,768 to Silver ("Silver"). It is respectfully submitted that claims 1-10 are allowable over Bruijns alone and in view of Silver for at least the following reasons.

Bruijns shows an imaging system that compensates for vignetting in an x-ray examination images. Bruijns shows that the x-ray image from an "x-ray image intensifier is split into a transmitted sub-image carrying light beam 12a and a reflected sub-image carrying light beam 12b, respectively, by means of a beam-splitter 40." (See, FIG. 4a and Col. 10, lines 9-14.) The transmitted and reflected sub-images are recombined by a recombination circuit 43 (see, Col. 10, lines 25-32). First and second correction factors from a PROM 44 are multiplied by an analog multiplier 47 to compute a correction factor for the recombined image (see, Col. 11, lines 11-23). As stated in Bruijn, (emphasis added) "[t]he video signal for the recombined image is supplied to the analog multiplier 29 where the video signal is multiplied by correction factors supplied by the low-pass filter

28, so as to form a corrected analog video signal for the recombined image, which is supplied to the monitor 26 for viewing of the recombined image ..." (See, Col. 11, lines 31-37.)

In other words, Bruijns shows that a combined correction factor is produced from first and second correction factors. The combined correction factor is then applied to the recombined image to produce the corrected image.

It is respectfully submitted that the system of claim 1 is not anticipated or made obvious by the teachings of Bruijns. For example, Bruijns does not disclose or suggest, a system that amongst other patentable elements, comprises (illustrative emphasis added) "an image artifact reducer arranged to process said planar images with a first corrective image for eliminating a first source of structured noise in said images, thereby producing a gain corrected image, and arranged to apply a second corrective image to the gain corrected image for eliminating a second source of structured noise in said images" as recited in claim 1, and as similarly recited in each of claims 7 and 10. Bruijns merely teaches that a combined correction factor is applied to a recombined image. Silver is introduced for allegedly showing

elements of the dependent claims and as such, does nothing to cure the deficiencies in Bruijn.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 7 and 10 are patentable over Bruijns alone and in view of Silver and notice to this effect is earnestly solicited. Claims 2-6 and 8-9 respectively depend from one of claims 1 and 7 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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